

ANNUAL REPORT  
OF THE  
INTERIM STUDY COMMITTEE ON  
DRIVER EDUCATION



Indiana Legislative Services Agency  
200 W. Washington Street, Suite 301  
Indianapolis, Indiana 46204

October, 2011

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## 2011

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#### **Staff**

Susan Montgomery  
Attorney for the Committee

Bill Brumbach  
Fiscal Analyst for the Committee

A copy of this report is available on the Internet. Reports, minutes, and notices are organized by committee. This report and other documents for this Committee can be accessed from the General Assembly Homepage at <http://www.in.gov/legislative/>.

## **I. STATUTORY DIRECTIVE**

P.L.101-2009 (SEA 16-2009) established the Interim Study Committee on Driver Education. The Committee was directed to study the following:

- (1) the administration of driver education by the Bureau of Motor Vehicles and the Department of Education;
- (2) standards for an Internet component of driver instruction;
- (3) standards for a classroom component of driver instruction;
- (4) penalties for instructional providers that fail to follow the standards for instruction driving experience;
- (5) statistics for moving violations accrued by individuals less than eighteen (18) years of age who had:
  - (A) taken driver education with a classroom component of driver instruction;
  - (B) taken an Internet component of driver instruction; and
  - (C) no formal driver education;
- (6) the effectiveness of driver education courses on the accident rates of young drivers; and
- (7) the standards and curriculum content for an effective driver education program.

## **II. SUMMARY OF CURRENT LAW AND ADMINISTRATIVE RULES**

The Indiana Code (IC 5-2-6.5) places the responsibility for commercial driver training schools with the Indiana Criminal Justice Institute (ICJI). That responsibility ends on December 31, 2011. P.L. 145 (2011) moved the responsibility for commercial driver training schools to the Bureau of Motor Vehicles (BMV) beginning January 1, 2012, in IC 9-27-6. Currently, the administrative rules pertaining to the ICJI's oversight of commercial driver training schools are found at 205 IAC 3-1.

At the present time, the responsibility for the establishment and maintenance of minimum standards for driver education programs and equipment in the public schools by the Indiana State Board of Education is set forth in IC 20-19-2-8(a)(4). The corresponding administrative rules concerning instruction in driver education classes are found at 511 IAC 6-6. These responsibilities will be transferred to the BMV on January 1, 2012.

IC 9-24-10-4 sets forth the items that are necessary for the granting of a learner's permit by the BMV. The administrative rules regarding the BMV's regulation of high school driver education programs are found in 140 IAC 4-4.

### **III. SUMMARY OF WORK PROGRAM**

The Committee met three times, on August 8, September 8, and October 25, 2011. All three meetings took place in Room 130 of the Indiana State House, Indianapolis, Indiana.

### **IV. SUMMARY OF TESTIMONY**

On August 8, the Committee heard testimony from: (1) Tom Zachary, Drive Zone Driver Education, concerning the graduated driver's licensing law and first date of application for a probationary operator's license; (2) Sarah Meyer of the BMV, concerning motor vehicle accident statistics and waivers granted by the BMV for early issuance of operator's licenses; and (3) Karen Burkhardt of the American Driving Academy, concerning learner's permits.

On September 8, the Committee heard testimony from: (1) Ryan Klitzsch of the ICJI, concerning effects of graduated driver's licenses on accident rates and fatality rates; (2) Dave Garrison from IVY Tech, concerning IVY Tech classes for driver education instructors and driver education for beginning drivers; (3) Tom Zachary, Drive Zone Driver Education, urging access to driver education for all beginning drivers; (4) Robert Spolyar, State Farm Insurance, concerning the first statutory date of application for a probationary operator's license; (5) Karen Burkhardt, American Driving Academy, concerning her school's instructional programs; and (6) Kyle Meek, All Star Driving School, regarding the offering of driver's education classes by IVY Tech.

On October 25, 2011, the Committee heard testimony from: (1) Captain Sherry Beck and Lieutenant Mark Carnell of the Indiana State Police concerning motor vehicle accident report statistics and the motor vehicle accident report form; (2) Jeff Terp and Dave Garrison of IVY Tech concerning IVY Tech's offering driver education instructor's classes and driver education to the public. Mr. Terp stated that IVY Tech will be discontinuing driver education instruction to students in the local school districts in the Evansville area after December 31, 2011; (3) Robert Spolyar, State Farm Insurance, concerning accident reports, the age at which a probationary license may first be applied for, and prior years' legislation; (4) Charlie Hiltunen, The First House Advocacy Group, concerning the need to have access to motor vehicle accident reports; (5) Karen Burkhardt, American Driving Academy, concerning public versus private offering of driver education instruction; and (6) Sarah Meyer, BMV, concerning the BMV's oversight of driver education schools after 2011.

### **V. COMMITTEE FINDINGS AND RECOMMENDATIONS**

The Committee made no findings of fact.

The Committee did not recommend any legislation for introduction in the 2012 legislative session.

The Committee made the following recommendations:

- A. That the legislature and the Committee encourage the consideration of legislation that creates a greater disparity between the age that an individual may secure a probationary license who has successfully completed an approved driver education course and an individual who has not successfully completed an approved driver education course.
- B. That the DOE, the BMV, and local school corporations study the relationship between grade point averages, traffic safety, crash reports, and all other relevant information concerning newly licensed teen probationary drivers, and report the results back to the members of the Committee.
- C. That the Gary Public Schools and the Indianapolis Public Schools be consulted as to the numbers of the students in those corporations who have taken driver education.

## WITNESS LIST

Sarah Meyer, Indiana Bureau of Motor Vehicles  
Karen Burkhardt, American Driving Academy  
Ryan Klitzsch, Indiana Criminal Justice Institute  
Tom Zachary, Drive Zone Driver Education  
Dave Garrison, IVY Tech Community College of Indiana  
Robert Spolyar, State Farm Insurance  
Kyle Meek, Indiana All Star Driving School  
Captain Sherry Beck, Indiana State Police  
Lieutenant Mark Carnell, Indiana State Police  
Jeff Terp, Vice President of Engagement, IVY Tech Community College of Indiana  
Charlie Hiltunen, The Third House Advocacy Group